



MARICOPA COUNTY PLANNING & DEVELOPMENT

CITIZEN REVIEW PROCESS SUMMARY / GUIDELINES



Purpose

Pursuant to A.R.S. § 11-829, Paragraph B, on May 2, 2001 the Maricopa County Board of Supervisors adopted a citizen review process for rezoning and special use permit cases (Section 2804 of Article XXVIII of the Maricopa County Zoning Ordinance). There are three basic requirements for a citizen review process of rezoning and special use permit applications:

- Notifying citizens of the rezoning *application*, and not just the public hearing.
- Informing citizens of the substance of the application.
- Providing citizens an opportunity to express issues or concerns prior to any public hearing regarding the application.

Public participation is an important component of successful planning. Citizens need and deserve ongoing communication regarding projects and issues that affect their communities. Through the citizen review process, Maricopa County demonstrates its commitment to ensuring that applicants pursue early and meaningful citizen input in applications for changes in zonings and special use permits. Such participation will help an applicant resolve concerns early in the process, and promote goodwill between the applicant, county officials, citizens, property owners, and other stakeholders. While the citizen participation program may not produce complete consensus regarding specific applications, it will encourage applicants to make sound investment and planning decisions by listening to and, where feasible, addressing the concerns of their neighbors.

Process

The Citizen Review Process has five required elements that are discussed below:

1. Requirement for a Pre-Application Meeting
2. Requirement to develop a Citizen Participation Plan
3. Requirement to notice adjacent property owners upon application.
4. Requirement to post properties upon application.
5. Requirement to complete a Citizen Participation Results Report

1. Requirement for a Pre-application Meeting / Pre-application Meeting Form

Prior to submitting a formal application, the applicant is required to participate in a pre-application meeting with Planning and Development Department staff. Pre-application meetings allow applicants to become familiar with the planning process, and also enable the applicant to obtain guidance with the requirements of the Citizen Review Process. At the pre-application meeting, the *Citizen Participation Plan* will be discussed between staff and the applicant.

At the pre-application meeting, staff will provide the applicant with a copy of the *pre-application meeting form*. This form is used to verify that the pre-application meeting has occurred. **Please do not discard or misplace this form – it is a required submittal with your application.**

2. Requirement to develop a Citizen Participation Plan / Plan format

The *Citizen Participation Plan* discusses the extent and procedure the applicant will take to complete the Citizen Review Process. Staff and the applicant will discuss the extent of the *Citizen Participation Plan* at the pre-application meeting. At a minimum, the following information should be submitted as a part of the *Citizen Participation Plan*, using the headings and format shown below:



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- Include the project name, general location and vicinity map.

Parties Affected by Application

- Discuss which residents, property owners, interested parties, political jurisdictions and public agencies may be affected by the application.

Notification and Information Procedures

- Discuss how those interested in and potentially affected by an application will be notified that an application has been made.
- Discuss how those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application.

Response Procedures

- Describe how those affected or otherwise interested will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues or problems they may have with the proposal in advance of the public hearing.

Schedule for Completion

- Describe the schedule for completion of the *Citizen Participation Plan*.

Status Procedure

- Describe how the applicant will keep the Planning and Zoning Department informed on the status of their citizen participation efforts.

The level of citizen interest and area involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined through a coordinated effort of the applicant and staff. The Planning Director shall resolve any disputes that may arise while arriving at the target area. At a minimum, the target area of the *Citizen Participation Plan* shall include the following:

- a) real property owners within 300' of the proposed zone change or Special Use Permit request;
- b) the head of any homeowners association within 300' of the proposed zone change or Special Use Permit request;
- c) other potentially affected citizens in the target area who have requested that they be placed on the routing list maintained by the Planning Department.

Applicants may submit the *Citizen Participation Plan* for review as early as the pre-application meeting, but must submit such plans with formal application. Maricopa County Planning and Development Department staff will review and provide feedback regarding the *Citizen Participation Plan* within approximately **one (1) week** of submittal.

3. *Requirement to Notice Adjacent Property Owners Upon Application and*
4. *Requirement to Post Properties Upon Application*

Within 30 days the applicant shall send notice by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed amendment or change. The notice by mail shall include, at a minimum, description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the applicant, and contact information for the applicant. A copy of the notice and an affidavit demonstrating proof of such notification shall be submitted to staff



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within 30 days of application submittal. An example and template notice forms are provided in the zone change / Special Use Permit application packets.

Within 30 days of submitting a formal application, the applicant shall also post the property included in the proposed change. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices are visible from the nearest public right-of-way. Each notice shall be a minimum of six square feet in area and shall be laminated. The posting shall include, at a minimum, a brief description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the applicant, and contact information for the applicant. A signed affidavit along with photographic evidence shall be submitted to staff demonstrating proof of posting within 30 days of application submittal. An example is provided in the zone change / Special Use Permit application packets.

The *Affidavit of Citizen Participation*, which addresses both the Posting and Noticing requirements, should be submitted at the Technical Advisory Committee meeting or within 30 days of application submittal. The *Affidavit of Citizen Participation* form is provided in the zone change / Special Use Permit application packets.

5. Requirement to Complete a Citizen Participation Results Report

Upon completion of the *Citizen Participation Plan* process, the applicant must submit an official report on the results. At a minimum, the following information should be submitted as a part of the *Citizen Participation Results Report*, using the headings and format shown below:

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- Include the project name, general location and vicinity map.

Details and Techniques Used To Involve The Public

- Include all dates and locations of any and all meetings where citizens were invited to discuss the applicant's proposal.
- Provide the content, dates mailed, and number of mailings, including letters, meeting notices, newsletters and other publications.
- Indicate the location of residents, property owners, and interested parties receiving notices, newsletters or other written materials.
- Indicate the number of people that participated in the process.

Summary of Concerns, Issues and Problems

- Describe the substance of concerns, issues, and problems.
- Describe how the applicant has addressed or intends to address perceived or real concerns, issues, and problems expressed during the process
- Describe perceived or real concerns, issues and problems with which the applicant disagrees, which the applicant cannot address, or which the applicant chooses not to address, including an explanation of the applicant's reasoning.

The *Citizen Participation Results Report* report must be submitted and approved prior to scheduling the case for public hearing with the Planning and Zoning Commission and County Board of Supervisors.